

Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 1-18 and 23 are pending. Since no claims are added, amended or canceled, no listing of claims is required under 37 CFR 1.121.

Claim Rejections – 35 USC 102/103

Claims 1, 2, 6, 11, 12, 13, 14, 18 and 23 are rejected under 35 USC 102(e) as anticipated by Yoshida (US 7,277,197). Claims 3, 4, 5, 8, 9, 10, 15, 16 and 17 are rejected under 35 USC 103(a) as obvious over Yoshida in view of Ejima (US 6,259,469). Claim 7 is rejected under 35 USC 103(a) as obvious over Yoshida in view of Yoshida '201 (US 2002/0039201). In response, by virtue of its perfection of the priority date of October 17, 2002, applicant traverses the rejections.

The earliest effective date of Yoshida (US 7,277,197) under 35 USC 102(e)/103(a) is its U.S. filing date of January 21, 2003. However, the present application claims priority in JP 2002-302521, filed on October 17, 2002, which precedes the effective date of Yoshida and fully supports the subject matter of claims 1-18 and 23. Therefore, in order to perfect its claim to priority and to eliminate Yoshida as a prior art reference against this application, a verified English translation of JP 2002-302521 is enclosed.

Since Yoshida is relied on in the rejections under 35 USC 102(e)/103(a) of each of claims 1-18 and 23, and is no longer available as a prior art reference, the rejections of claims 1-18 and 23 under 35 USC 102(e)/103(a) should be withdrawn. There being no further grounds for rejection, applicant submits that claims 1-18 and 23 are now in condition for allowance.

Conclusion

This application is in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after consideration and entry of this reply.

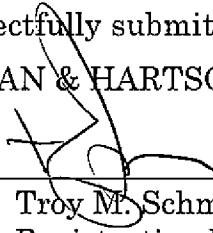
Appl. No. 10/658,013
Reply dated December 17, 2008
Reply to Office Action of November 17, 2008

Atty. Ref. 81710.0258
Customer No. 26021

Any fees due with this response may be charged to our Deposit Account No.
50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: December 17, 2008

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